

Minutes of a Regular Meeting of the City Council.
Austin, Texas, July 19th 1897.

Wardman Maddox elected President pro tem. of the Council. The Mayor and President of the Council both being absent, Alderman Maddox was elected President pro tem.

Roll call'd.

Present, Aldermen Haynes, Horton, Huhn, Maddox, Nitschke, Blatt, Powell, Schneider, Shelley, Stumbo, Taylor and Gilker. 12.

Absent, Aldermen Beatty, Delvin, Fischer, Lawless, Linn, Miller, Redd, Roberson, Rosenzweig and Townsend 10.

On motion of Alderman Taylor, the minutes of the last meeting were approved as recorded without reading.

Petitions.

Pet. of Dr. J. D. Wooten regarding assessment made by Pet. of Board of Equalization. The Chair laid before the Council a petition from Dr. J. D. Wooten stating that the Board of Equalization had assessed him with \$10,000.00 credit and money for the year 1896; that he had only \$4000.00, and asking that he be allowed to pay his taxes on the \$4000.00 and that the balance be remitted. Read, and on motion referred to the Committee on Claims and Accounts.

Communication from Bd. of Equalization asking for an additional extension of 10 days to perform its duties was not sufficient to get through with the work, and asking the Council to extend the time from twenty to thirty days.

Aldermen Beatty, Rosenzweig and Townsend entered the Council Chamber. Alderman Nitschke moved that the communication from the Board of Equalization be laid upon the table, which motion was lost by the following vote:

Yea, Aldermen Beatty, Fischer, Horton, Miller, Nitschke, Redd and Taylor 9.
Nay, Aldermen Haynes, Huhn, Maddox, Blatt, Powell, Rosenzweig, Schneider, Shelley, Stumbo, Townsend and Gilker 11.

Alderman Schneider moved that the Board be allowed twenty-five days. Alderman Taylor moved to amend by adding that they be allowed the sum of \$2.50 per day each for the additional five days allowed.

Alderman Delvin entered the Council Chamber.

Point of order made by Alderman Nitschke, that as the time allowed by the Board of Equalization was fixed by ordinance, it could only be extended by amending said ordinance, since the motion made to extend the time by resolution was out of order. The Chair sustained the point of order, and on motion the communication was referred to the Finance Committee.

Communication from Dr. N. C. Denton in regard to the sanitary condition of the City. The City was, on motion, referred to the Committee on Sanitation and Sewerage without reading.

Pet. of Citizens of Eleventh Ward City Alderman Redd. Petition of Citizens of Eleventh Ward, asking that a Policeman be assigned to duty in said Ward. On motion the petition was referred to the City Marshal.

Alderman Sables entered the Council Chamber.

Pet. of Mr. W. Motzke (by Alderman Powell). Petition of Mr. W. Motzke, asking permission to erect a small frame house on the corner in Section 195 of the City, house in Ward 11. Pet. and referred to the Building Committee.

Pet. of Citizens of 2nd Ward, to have by Alderman Beatty. Petition of Citizens of the Second Ward, asking that streets street work done in Chancery in said Ward between Ninth and Twelfth Streets in what is known as Chancery between 10th & 12th Streets be put in a passable condition. Read, and on motion referred to the Street Committee.

Report of Standing Committee.

Street Com's report on pet. of Alderman Gilmer, for the Street Committee, to whom was referred the petition of Frank Brown to erect a stairway of Frank Brown, asking permission to erect a stairway on west side of building, on East Sixth and Red River Streets; presented their report,

recommending that the petition be granted on condition the City retain the right to remove the same at any time said stairway proves an interference with pedestrians on the sidewalk, as referred to in the petition.

Alderman Taylor moved that the report of the Committee be adopted, the work to be done under the supervision of the City Engineer, and that the stairway be constructed of iron, which motion prevailed.

On motion of Alderman Beatty, the City Engineer was directed to examine a stairway erected by Mr. J. P. Mitchell on alley on West Sixth street, and to report to the next session of the Council if said stairway had been erected in accordance with the permit granted.

Street Com's report on pet. of Wm. Walsh to have the Dam Boulevard extended through his land, presented their report, recommending that the City Engineer be directed to make a survey of W. N. McElroy in regard to the alleyway in rear of Lots 1 to 10, Block Survey and report an estimate as to Lot 1, Leander Brown's subdivision of lots 1-10, Division I. Presented their report concerning any obstruction report, stating that from a careful examination and investigation of the lot might be necessary to remove facts as existing on the ground and from the public records, we conclude on the proposed extension, and that it was the intention and purpose of the dedicator, Leander Brown, of placing the new Boulevard as evidenced by his acts and declarations accompanying the dedication to the first class condition. The report of Public of the Streets and alleys in said sub-division and particularly the Committee was adopted.

Concerning the alley under consideration that the lots in said block

Street Com's report on lot of fronting on what is now known as San Marcos Street, numbered from W. N. McElroy regarding Alley 1 to 10, both inclusive, were to have, and did have a uniform depth of way in rear of lots 1 to 10, Block. One hundred and twenty-eight feet each, and were to and did terminate

on a common boundary line of said alley running in rear of said lots and dividing and separating said lots 1 to 10, from lots 11 to 20 in said block, and that said alley be of an uniform width of 20 feet.

Our Committee begs leave to recommend that proper and appropriate action be taken to clear and keep said alley clean from all obstructions and particularly the obstruction created and existing by reason of the erection and maintenance of the fence as aforesaid, and that the City Engineer be directed to at once remove said obstruction.

The report of the Committee was adopted.

Police Committee report on City Marshal's report for June 1891. Alderman Powell, for the Police Committee, to whom was referred the reports of the City Marshal for the month of June 1891, presented their report, stating that the reports had been examined and found correct. On motion the report was ordered filed.

Alderman Hayes for the Printing Committee, submitted the following proposition in behalf of a visitation from the Statesman Publishing Company.

Mr. Harry Hayes.

Chairman Printing Committee.

Answer: Answered as the City Council proceedings are not now

now publishing P. T. to Texas

Proposed to meet at 11 A.M.

Austin, Texas July 13th 1891.

Proposition from the Statesman being printed officially in our paper, and the fact that their printing was discontinued on account of the price we asked in our bid of 1¹/₂ cent per word, we beg to inform you that after thoroughly considering the matter, we are willing to meet your views on the subject and reduce the price from 1¹/₂ to 1³/₄ cent per word for each insertion.

This bid is made to cover Council proceedings, Ordinances, Bound notices, and such other matter ordered by the City Council, and is to hold good from its acceptance by the Council for the remainder of the fiscal year. We will use the same type as we have been using in the past, and the same scale of measurement which has been in effect for the last four years, will be used. Trusting you will see fit to favor us with all the City Printing, we are,

Yours truly,
Statesman Sub. Co.

Geo. W. MacDonell,
Advertising Manager.

C. Alderman Blatt moved to accept the Statesman's proposition, and that the Mayor be instructed to enter into contract with them in accordance with said proposition, which motion prevailed.

Unfinished Business

The Chair then laid before the Council the following veto message of the Mayor:

"Mayor's Office.
Austin, Texas, July 7th 1897.

Mayors Veto message of Ord. To the Hon. City Council:

Amending Art. 329 of
Revised Civil Ordinances

Gentlemen:

I herewith return to you an ordinance passed by you on July 5th 1897, entitled "An ordinance amending Art. 329 of the Revised Civil Ordinances of the City of Austin, with my disapproval of same, and my reasons therefor as follows:

The ordinance seeks to increase the Police force by the addition of one Policeman, to be known as the City Detective. In my opinion this increase is, from every point of view, unnecessary and impracticable. The Police force as at present constituted, is ample for the protection of life and property, and the detection of crime. There has not been made so far as I know, either publicly or privately, any charge or even a suggestion, that the interests of the public are suffering, or are likely to suffer on this account. There would therefore, appear to be no cause for an increase of the force, and to increase it without proper cause, would be to waste the people's money. This would be the case, even if there was a surplus in the Treasury, and the additional expenditure did not interfere with the imperative public needs. But the objection to increasing the City's expenses at this time, is doubly strong, because of the well known conditions now existing in the City's finances rendering economy absolutely necessary.

Respectfully,

Lewis Stanford, Mayor

Mr. Liver stated that the question before the Council was, shall the ordinance stand by, his answer now being notwithstanding the Mayor's objection.

The veto of the Mayor was sustained by the following vote:

Nays, Aldermen Belvin, Haynes, Lawless, Powell, Rosengren, Schneider, Stumpf 9.
Ayes, Aldermen Beatty, Fischer, Horton, Kuhn, Maddox, Miller, Nitschke, Platt, Redd, Shelley, Taylor, Townsend and Gilker 13.

Mr. M. W. Shipe allowed to address Council in regard to matter of drain pipe for Hyde Park

Alderman Belvin asked that Mr. M. W. Shipe be allowed to address the Council on the matter of drain pipe for streets in Hyde Park. Permission was granted.

Mr. Shipe then stated to the Council, that he had graded and gravelled certain streets in Hyde Park, and that they needed drain pipes to carry off the surplus water in case of heavy rain, and if not done then they would be badly damaged, and if the City would furnish him with the pipes, he would lay same at his own expense. He asked for 391 feet of 12-inch pipe, 107 feet of 10-inch pipe and 38 feet of 6-inch pipe.

Alderman Belvin moved that the pipe asked for be furnished, the same to be laid under the supervision of the City Engineer and without expense to the City. Alderman Shelley was excused from further attendance at this session.

Alderman Lawless moved to refer the matter to the Street Committee.

Alderman Fischer moved to amend the motion of Alderman Lawless by adding, "and that they be authorized to act."

Alderman Platt raised the point of order, that the Council could not delegate its authority to the Street Committee, by authorizing them to act in the matter. The Chair decided the point of order not well taken.

The vote was then had on the amendment offered by Alderman Fischer and the same was adopted by the following vote:

Nays Aldermen Beatty, Belvin, Fischer, Horton, Kuhn, Maddox, Nitschke, Powell, Rosengren, Schneider, Stumpf, Townsend and Gilker 13.

Ayes, Aldermen Haynes, Lawless, Miller, Platt, Redd and Taylor 6.

The vote was then taken on the motion of Alderman Lawless as amended by Alderman Fischer, and the motion adopted.

Ord. appropriating \$1955.56 by Alderman Townsend. An ordinance appropriating the sum of \$1955.56 to pay salaries of Officers and

Employees for month of July 1897. The ordinance was passed under suspension of the rules by the following vote:

Nays, Aldermen Beatty, Belvin, Fischer, Haynes, Horton, Kuhn, Lawless, Maddox, Miller, Nitschke, Platt, Powell, Redd, Rosengren, Schneider, Stumpf, Taylor, Townsend and Gilker 19.

Ayes, None.

Ord. appropriating \$210.00 by Alderman Townsend. An ordinance appropriating the sum of \$210.00 to pay salaries of Aldermen, for the month of July 1897.

The ordinance was passed under suspension of the rules by the following vote:

Nays, Aldermen Beatty, Belvin, ^{Becker} Haynes, Horton, Kuhn, Lawless, Maddox, Miller, Nitschke, Platt, Powell, Redd, Rosengren, Stumpf, Taylor, Townsend and Gilker 18.

Ayes, Alderman Schneider 1.

Ord. regulating fares to be charged by Persons, Firms or Corporations, owning or operating any line or lines of street cars, within the corporate limits of Austin, and fixing penalties for failure to comply with the same. By Alderman Horton. An ordinance regulating the fares to be charged by Persons, Firms or Corporations, owning or operating any line or lines of street cars, within the corporate limits of Austin, and fixing penalties for failure to comply with the same.

This ordinance was read first time, and, on motion, was referred to the Ordinance Committee.

Alderman Haynes offered the following resolution:

(Resolved, That the minutes of the Council this evening, be published by the Statesman, with the understanding that the same be paid for, at the rate of bid submitted by said paper, this evening, if the contract is entered into by the Mayor. Otherwise no payment is to be made.)

H. S. Haynes,

J. E. Rosengren,

C. M. Belvin. Printing Committee.

Alderman Taylor moved to lay the resolution on the table. Lost by the following vote:

Nays Aldermen Lawless, Kirschner, Schneider and Taylor 4.

Nays Aldermen Deasy, Belvin, Fischer, Haynes, Norton, Shulm, Maddox, Miller, Platt, Powell, Redd, Rosengren, Stumpf, Townsend & Gilmer 15.

The resolution was then adopted.

Alderman Belvin moved to adjourn which motion prevailed.

J. W. C. Johnson
City Clerk.